CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO O-19-49 ENACTMENT NO. _____

SPONSORED BY: Don Harris

ORDINANCE

Amending The Ordinance For Adopting The Capital Improvements Program To Extend The Deadline For Council Action (Harris)

AMENDING THE ORDINANCE FOR ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM TO EXTEND THE DEADLINE FOR COUNCIL ACTION.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. Amending Chapter 2, Article 12, Section 3 of the Revised Ordinances of Albuquerque to extend the deadline for City Council Action on the Capital Improvements Plan.

"§ 2-12-3 ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM; PUBLICATION.

(A) The Mayor shall submit by November 21 of each even-numbered year, except as provided by division (C) of this section, the proposed Capital Improvements Program to the Environmental Planning Commission. The Environmental Planning Commission shall conduct at least one public hearing on responsibilities of the Commission for plans and policies on development and on protection of the environment as delineated in §§ 14-13-3-1 et seq. The Environmental Planning Commission shall submit its recommendations on the proposed program to the Mayor by December 1 of each even-numbered year. The Mayor is not required to revise the proposed Capital Improvements Program to incorporate the recommendations of the Environmental Planning Commission but may do so.

(B) The Mayor shall submit the proposed Capital Improvements Program, including

any recommendations of the Environmental Planning Commission, to the Council by January 3 of each odd-numbered year, except as provided by division (C) of this section.

(C) The Capital Improvements Programs for the Air Quality, Aviation Enterprise, Parking Enterprise, Refuse Disposal, and Golf Enterprise Funds shall be developed in accordance with the following procedure:

(1) The capital improvements appropriations for the above referenced funds shall be developed by the Mayor in conjunction with operating budgets and supporting rate proposals, if any, and shall be submitted to the Council no later than April 1 of each year.

(2) The Mayor shall submit to the Council any proposed rate increases required for the proposed Capital Improvements Programs of the above referenced funds along with the operating budget no later than April 1 of each year. These Capital Improvement Program budgets shall be fully integrated into the proposed ten year program by the CIP Office.

(D) The Council shall approve the Capital Improvements Program as proposed, or shall amend and approve it, by the first scheduled City Council meeting in April of the year submitted. The Council shall hold at least one public hearing on the proposed program.

(E) The city shall promptly publish the Capital Improvements Program as approved."

Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 3. COMPILATION. The ordinance amendment prescribed by Section 1 shall amend, be incorporated in and made part of the Revised ordinances of Albuquerque, New Mexico, 1994.

Section 4. EFFECTIVE DATE. Section 1 of this Ordinance shall take effect five days after publication by title and general summary.

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